

Commonwealth of Virginia
Department of Social Services



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☐ ACTION ITEM

☒ INFORMATIONAL ITEM

Subject: Legal Permanent Residency Status Application Medical Requirements

To: ONS Resettlement Provider Directors

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This ONS Transmittal explains the role of the Virginia Department of Health local health districts in the medical examination requirements for refugees applying to the U.S. Citizenship and Immigration Services (USCIS) for legal permanent residency (LPR) status. It is important to note that this transmittal addresses persons with refugee status only and does not address asylees, Cuban/Haitian parolees, victims of human trafficking, or Iraqis and Afghans with special immigrant visas.

Background: After one year with refugee status, refugees are required to file an *Application to Register Permanent Residence or Adjust Status* (I-485 form) with USCIS. Asylees who have been in the U.S. in asylee status for at least one year, nationals or citizens of Cuba in the U.S. in parole status for at least one year, and T visa holders who have been in T visa status for at least three years, are eligible to apply for adjustment of status to LPR, but are not required to do so. Iraqis and Afghans with special immigrant visas and Amerasians are given LPR status upon arrival in the U.S.

The LPR application process involves a required medical examination. The *Medical Examination of Aliens Seeking Adjustment of Status* (I-693) is used to provide proof that the medical examination requirements have been met. For refugees who completed the overseas medical examination, that examination meets the I-693 requirements, with one exception. The refugee must show that he or she meets the vaccination requirements.

Role of Local Health Districts

The Virginia Department of Health (VDH) Refugee Health Coordinator has provided the Office of Newcomer Services with the following information regarding the VDH local health districts role when a refugee applies for LPR status and requests assistance from the local health district (LHD) with the medical examination portion of the application.

- a. When a refugee files the USCIS form I-485, the refugee is to include the medical examination report issued by a panel physician overseas. The vaccination section of the USCIS Form I-693 must indicate the vaccination assessment was performed by a Civil Surgeon or “Designated” Health Department/District in the United States.
- b. The USCIS has given Virginia’s LHDs the authority to function as Civil Surgeons for refugees adjusting their status. This “Blanket Designation” applies only to the vaccination assessment of persons with refugee status.

Important note: This does not apply to persons with other alien status who apply for LPR status. The full physical examination required by I-693 form must be completed by a Civil Surgeon.

- c. The VDH State Newcomer Health Program Guidelines (Quick Reference Guide) require local health districts to provide refugees with the vaccinations necessary for them to meet the USCIS adjustment of status requirements. This is a service that is provided by all LHDs.
- d. Typically the vaccination series is started at the LHD on the date of the initial medical screening and continues for up to one year.

Important note: There was a recent change in the medical examination and vaccination requirements. An LPR applicant is no longer tested for HIV infection and applicants do not have to be vaccinated with the herpes zoster (zoster) and Human Papillomavirus (HPV) vaccine. Any reference to HIV, HPV or zoster has been removed from the I-693 form and instructions.

- e. LHDs are authorized by USCIS as “Blanket Civil Surgeons.” As such, the LDHs are authorized to complete specific sections of the I-693 Form: (i) the client demographic section (Part 1); (ii) the vaccine section (Part 2, Section 5); and (iii) the LHD (or blanket civil surgeon) section (Part 6).
- f. It is the responsibility of local refugee resettlement office staff, during Reception and Placement Program orientation, to inform refugees about filing for legal permanent residency status and the role of the LHD.
- g. Additionally, LHD staffs reinforce the resettlement offices’ explanation of the importance of completing all recommended immunizations during the initial medical screening, during the visit to the immunization clinic; and during the health history interview conducted by the LHD Refugee Health Program Coordinator.

- h. It takes about a year for the refugees to finish the entire vaccine series.

Important Note: Completion of a vaccine series is not required for adjustment of status. It is the vaccine assessment done by the LHD that is required.

Assessment means when the LHD doctor or nurse determines which vaccines the client should receive based upon federal and state guidelines and on the refugee's medical history and risk factors.

- i. There is a USCIS requirement that the civil surgeon give the applicant the completed I-693 in a sealed envelope. The USCIS will not accept the form if it is not in a sealed envelope. This requirement is met if the sealed envelope is provided by the LHD.
- j. Each Virginia LHD has a special stamp that is used. The doctor or nurse completing the form has the authority to stamp the form and will place the LHD stamp at a designated location on the form.

Relocation If a refugee moves from one LHD jurisdiction to another, the LHD staff in the locality where the refugee has relocated will pull up the refugee's immunization record in the VDH database system and then complete the I-693 form.

If a refugee moves to another state and either the refugee, LHD, or local resettlement office sends the refugee's new address to the VDH Newcomer Health Program, the VDH/NHP will send this information to the U.S. Centers for Disease Control and Prevention, Electronic Disease Notification System (CDC, EDN) and to the Refugee Health Program in the state to which the refugee has moved.

If a refugee moves to Virginia from another state and the VDH is made aware of it, VDH/NHP requests the client's medical records from the other state and forwards the record to the LHD. If the client is within the refugee medical screening eligibility period, the refugee's vaccination series is continued.

Fees for assistance The refugee is not charged a fee for the vaccinations or the assistance with completing the I-693 form. The Office of Newcomer Services has a contract with the VDH which covers the costs of the initial medical screening. This one-time reimbursement covers the cost for all vaccinations recommended for adult refugees (18 years of age or older) to meet the USCIS adjustment of status requirements. For refugee children under the age of 18, the Virginia Vaccine for Children Program covers the cost of their vaccinations.

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